

Bedford Hills, New York  
June 18, 2013

The second meeting for the month of June of the Town Board of the Town of Bedford was held on June 18, 2013 at the Town House, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:02 P.M. by Supervisor Roberts.

<b>Present:</b>	Lee V. A. Roberts	: Supervisor
	Peter Chryssos	: Councilman
	Francis T. Corcoran	: Councilman
	David Gabrielson	: Councilman
	Chris Burdick	: Councilman
	Lisbeth Fumagalli	: Town Clerk
	Eric Gordon	: Town Attorney
	Kevin Winn	: Commissioner of Public Works
	William Heidepriem	: Supt. Of Recreation and Parks
	Jeffrey Osterman	: Director of Planning
	Harry Girdlestone	: Sole Assessor
	Steven Fraietta	: Building Inspector
	William Hayes	: Chief of Police
	Amy Pectol	: Receiver of Taxes

And seventeen (17) residents/observers.

#### PRESENTATIONS

1. Fourth Homeowner Retrofit Recognition Event.

Mark Thielking, Tom Bregman and Mary Beth Kass presented certificates to 18 Town of Bedford residents that had made significant energy improvements to their homes.

2. Short overview and presentation of the Conceptual Plan for the Bedford Village Memorial Park Playground Renovation – Superintendent of Recreation and Parks.

Bill Heidepriem gave an overview of the plan for the renovation of the playground at the Bedford Hills Memorial Park.

Commissioner of Public Works Kevin Winn announced that the Water Filtration Plant had opened and had gone on line June 6. He offered a toast with water that had come through the plant.

#### APPROVAL OF CLAIMS

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes:	Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays:	None
Absent:	None

RESOLVED, that the following claims for 2013 be allowed for payment from their respective funds,

	<b>2013</b>
Paid Prior to Audit	\$ 131,641.97
General Fund	119,677.22
Highway Fund	281,613.01
Consolidated Water District	47,698.14
Cedar Downs Water District	117.07
Farms Water District	1,045.17
Old Post Road Water District	1,536.13
Trust & Agency	1702.30
Drug Abuse	17.14
Energy	67,957.49
Special Districts:	
Bedford Village Memorial Park	9,784.20
Bedford Hills Memorial Park	10,301.15
Katonah Memorial Park	9,554.83
Bedford Paramedic District #1	79,306.00
Capital Projects	<u>80,768.67</u>
	\$ 842,720.49

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## MONTHLY REPORTS

Mrs. Roberts advised that the departmental monthly reports were available for review during regular business hours in the Offices of the Town Clerk and the Supervisor as well as on the Town of Bedford website.

## DEPARTMENTS

1. Further discussion of revaluation RFP.

On a motion by Mr. Chryssos, seconded by Mrs. Roberts, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Gabrielson  
Nays: Corcoran, Burdick  
Absent: None

RESOLVED that the Town Board does hereby authorize Bedford Assessor Harold Girdlestone to participate in the preparation and issuance of the non-binding Request for Proposal for assessment services in conjunction with other Towns, Cities and Villages in Westchester County.

2. Water Filtration Plant Proposed Change Order A-14.

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve Change Order 14 for the general contractor on the Water Filtration Plant – Sisca Northeast – in the amount of \$12,407.26 and authorizes the Supervisor to execute the Change Order as per the memorandum dated June 12, 2013 from Kevin Winn, Commissioner of Public Works.

3. Recommendation to execute contract with Adam Smith for Water Plant Assistant Operator.

On a motion by Mr. Corcoran, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to execute the contract with Adam Smith for the position of Water Plant Assistant Operator at a rate of \$125 per month plus \$35 per hour for all hours worked at the plant when the plant operator, Commissioner of Public Works, Kevin Winn, is unavailable, with said contract to end once the Town has other licensed operators on staff, approximately Spring 2014, subject to approval of the contract by the Town Attorney, as per the memorandum dated June 13, 2013 from Mr. Winn.

4. Donations received from Bedford Hills Woman's Club and F. C. Soccer Club.

The Town Board gratefully accepted the following donations made to the Department of Recreation and Parks:

1. Bedford Hills Woman's Club in the amount of \$1,000.00 to be used to assist with the planned renovations of the Bedford Hills Community House scheduled for fall/winter 2013.
2. F.C. Soccer Club in the amount of \$2,000.00 to be used to assist with the purchase of a new scoreboard at the Bedford Hills Memorial Park soccer in the summer/fall of 2013.

5. Recommendation for award of bid on replacement of the Bedford Village Court House roof.

On a motion by Mr. Gabrielson, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby award the bid for the replacement of the Bedford Village Court House roof to the lowest, most responsible bidder, Wayne Fazzinga & Company, Bedford Hills, New York in the amount of \$61,600 with an additional appropriation of \$13,000 over the \$60,000 capital project allowance for any unforeseen issues arising, for a total of \$73,000.00 as per the memorandum dated June 11, 2013 from Steven Fraietta, Building Inspector.

CORRESPONDENCE

1. Bedford Free Library request to use the Village Green for the “Best in Bedford Dog Show”, Thursday, July 25<sup>th</sup> at 4:00pm.

On a motion by Mrs. Roberts, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby grant the request of the Bedford Free Library to hold a “Best in Bedford” dog show on the Village Green in Bedford Village on Thursday, July 25, 2013 at 4:00 pm, as per the letter dated June 11, 2013 from Ann Cloonan, Library Director, subject to the approval of the Bedford Historical Society.

2. US Department of Energy Award for work through the Better Buildings Neighborhood Program.

The Town Board acknowledged the receipt of a letter dated June 3, 2013 from Francis J. Murray Jr., President and CEO of NYSERDA recognizing the Town’s work in partnership with NYSERDA, the New York City Energy Efficiency Corporation and the Community Development Corporation of Long Island for their work through the Better Buildings Neighborhood Program.

PERSONNEL

1. Increase compensation for Commissioner of Public Works.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby approve the increase in compensation for Kevin Winn, Commissioner of Public Works in the amount of \$10,000.00 and an additional one (1) week of vacation, which had been negotiated with the Town of Bedford at the time of his hiring in 2007, provided job responsibilities were added, such as but not limited to a water filtration plant, to be effective as of June 6, 2013, the date that the water filtration plant became operational, as per the memorandum dated June 17, 2013 from Joan Gallagher, Director of Personnel.

NEW BUSINESS

1. Receive time logs from Judge Menken.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board does hereby acknowledge receipt of the time logs from Town Justice David Menken for the time period February 1, 2013 to April 28, 2013.

2. Resolution for public health and safety regarding Indian Point Nuclear Power Plant.

On a motion by Mr. Burdick, seconded by Mrs. Roberts, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

WHEREAS, the nuclear disaster at Fukushima has resulted in widespread dispersal of radioactive material in the air, land and water, and President Obama of the United States and then Nuclear Regulatory Commissioner Jaczko have called for the evacuation of all Americans within a 50 mile radius of the stricken plants; and

WHEREAS, radiological contamination from Fukushima has extended 140 miles to Tokyo reservoirs, and the Indian Point Nuclear Power Plants are situated within twenty miles of the New Croton and Kensico Reservoirs which supply large parts of New York City's drinking water; and

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WHEREAS, the New York State Emergency Evacuation Plans were thoroughly evaluated by former FEMA director and evacuation expert James Lee Witt and found to be inadequate to protect the public from radiological exposure; and that evacuation plan flaws and deficiencies remain unresolved; and

WHEREAS, the spent fuel rods at both Indian Point reactors are stored in warehouse-type buildings with commercially available steel roofs, have no independent electricity or cooling systems and are not constructed with the same containment capabilities and back-up systems used to protect the reactors; and

WHEREAS, new techniques and advances in seismology have disclosed additional information about the two fault lines near Indian Point and plant construction standards fall far below potential earthquake magnitude;

NOW, therefore, be it RESOLVED that in order to safeguard the health and safety of United States citizens, we the undersigned call for the emergency evacuation zone around Indian Point to be extended from 10 to 50 miles; and be it further

RESOLVED, that the flaws and deficiencies identified in the James Lee Witt report be remedied; and be it further

RESOLVED, that full containment, as well as independent back-up electricity and cooling for the spent fuel pools be established and spent fuel rods be moved as quickly as possible into *hardened dry cask storage* which is more secure than the spent fuel pools, and be it further

RESOLVED, that new seismological data be taken into consideration and infrastructure upgrade accordingly for the continued operation of Indian Point, including its spent fuel storage facilities; and be it further

RESOLVED, that these Resolutions be transmitted to Governor Andrew Cuomo of the State of New York; Commissioner Jerome M. Hauser, New York State Division of Homeland Security and Emergency Planning; and to Commissioner Allison Macfarlane, Chairwoman, Nuclear Regulatory Commission.

### 3. Executive Session – Litigation.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick  
Nays: None  
Absent: None

RESOLVED that the Town Board wishes to discuss a matter of litigation in an executive session to be conducted at the conclusion of the regular meeting.

There being no further discussion the Town Board adjourned to executive session at 9:27pm.

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Lisbeth Fumagalli, Town Clerk

### Minutes of Executive Sessions - Town Board of the Town of Bedford - June 18, 2013

The Town Board voted to go into Executive Session to discuss potential litigation and for advice of counsel at 9:30 p.m.

Supervisor Lee V.A. Roberts, Deputy Supervisor Peter Chryssos, Councilman Frances Corcoran, Councilman Chris Burdick, Councilman David Gabrielson and Eric L. Gordon, Esq., Deputy Town Attorney, were present.

At the outset of the Executive Session, Deputy Town Attorney Gordon was voted Acting Town Clerk for the purpose of the executive session.

A discussion was held concerning whether certain individuals/entities who are seeking to perform services on behalf of the Town of Bedford are required to provide insurance to the Town. The individuals/entities in question are Mathew Wayne Selznick of MWS Media who is being retained to perform web design services and Ellen Shapiro of EHS Research Services who is performing a genealogy with respect to the Bedford Hills train station property. Both

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these individuals/entities have advised that they do not maintain liability insurance. No decisions were made and no votes were taken.

At 9:40 p.m. Supervisor Roberts closed the Executive Session and re-opened the meeting in public session.

On motion by Councilman David Gabrielson, seconded by Councilman Chris Burdick, the Board voted to allow Mathew Wayne Selznick of MWS Media to perform certain web design services for the Town of Bedford and Ellen Shapiro of EHS Research Services to perform a genealogy for the Bedford Hills train station property, without providing insurance naming the Town of Bedford as a beneficiary. The vote was 4–1 with Deputy Supervisor Peter Chryssos voting no.

There being no further business before the Town Board, the public meeting of the Town Board adjourned at approximately 9:45 p.m.

Respectfully submitted,

Eric L. Gordon  
Acting Town Clerk